

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

**FERREE**

**Serial No.: 10/630,445**

Filed: July 30, 2003

For: METHODS FOR TREATING A  
DEFECT IN THE ANNULUS  
FIBROSIS (as amended)

Group Art Unit: 3731

Examiner: Uyen T. Ho

**REQUEST FOR CORRECTED FILING RECEIPT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants herein request a corrected filing receipt for the above-identified patent application. Enclosed is a copy of the Filing Receipt mailed October 29, 2003, attached as Exhibit A, with the requested corrections added in red. Applicants respectfully ask that the following corrections be made and a new Official Filing Receipt be issued.

The Filing Receipt for the above-identified application (copy enclosed) is incorrect in that it incorrectly lists the priority data. The "Continuing Data as claimed by Applicant" should be recited as follows.

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CERTIFICATE OF MAILING (37 C.F.R. §1.8)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, Alexandria, VA 22313-1450.

October 19, 2006  
Date of Deposit  
NB1:695114.1

  
Cynthia B. Pacheco

**This application is a CON of 09/638,241 08/14/2000  
which claims benefit of 60/148,913 08/13/1999  
and said 09/638,241 is a CIP of PCT/US00/14708 05/30/2000  
which is a CIP of 09/322,516 05/28/1999 PAT 6,245,107**

Please also amend the Title to the following:

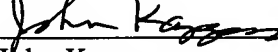
**METHODS FOR TREATING A DEFECT IN THE ANNULUS FIBROSIS**

These amendments are also requested in the Amendment and Response filed herewith. The Commissioner is hereby authorized to charge any fees that may be required in connection with the filing of these documents to Deposit Account No. 50-2862.

Respectfully submitted,

O'MELVENY & MYERS LLP

Dated: October 19, 2006

By:   
John Kappos  
Reg. No. 37,861  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

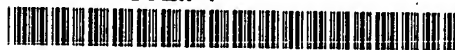
UNITED STATES DEPARTMENT OF COMMERCE  
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 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/630,445	07/30/2003	3731	1125	BAF-11803/29	13	66	11

John G. Posa  
 Gifford, Krass, Groh, Sprinkle,  
 Anderson & Citkowski, P.C.  
 280 N. Old Woodward Ave., Suite 400  
 Birmingham, MI 48009-5394

CONFIRMATION NO. 9312

## FILING RECEIPT



\*OC000000011112087\*

Date Mailed: 10/29/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Bret A. Ferree, Cincinnati, OH;

## Domestic Priority data as claimed by applicant

This application is a CON of 09/638,241 08/14/2000  
 which claims benefit of 60/148,913 08/13/1999

~~This application 10/630,445~~

~~is a CON of 10/120,763 04/11/2002~~

~~which is a CIP of 09/807,820 04/19/2001~~

~~which is a 371 of PCT/US00/14708 05/30/2000~~

and said 09/638,241 is a CIP of PCT/US00/14708  
 05/30/2000

which is a CIP of 09/322,516 5/28/1999

PAT 6,245,107

## Foreign Applications

If Required, Foreign Filing License Granted: 10/27/2003

Projected Publication Date: 02/05/2004

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

RECEIVED  
 OCT 31 2003  
 GIFFORD, KRASS, GROH, SPRINKLE,  
 ANDERSON & CITKOWSKI, P.C.



Exhibit A

**Title**

a defect in the annulus fibrosis  
 Methods and apparatus for treating disc herniation and preventing the extrusion of interbody bone graft

**Preliminary Class**

606

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**LICENSE FOR FOREIGN FILING UNDER  
 Title 35, United States Code, Section 184  
 Title 37, Code of Federal Regulations, 5.11 & 5.15**

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